

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

PHILIP BURRIS, )  
Plaintiff, ) NO. CIV-13-867-D  
vs. )  
STATE OF OKLAHOMA, ex rel., )  
OKLAHOMA DEPARTMENT OF )  
CORRECTIONS, KACIE )  
McDONALD, Case Manager )  
JUSTIN JONES, Director of DOC, )  
MIKE ADDISON, Warden at )  
Joseph Harp Correctional Center, )  
Defendants. )

## **ORDER**

This matter is before the Court for review of the Report and Recommendation [Doc. No. 24] issued by United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Mitchell recommends denying Plaintiff's Motion for Default Judgment [Doc. No. 23] against Defendant Kacie McDonald.

No party has filed a timely objection or requested additional time to object, although the parties were expressly advised of the right to object and the deadline for objections. Thus the Court finds all parties have waived further review of the issues addressed in the Report. Accordingly, the Court adopts the Report and Recommendation [Doc. No. 24] in its entirety; Plaintiff's Motion for Default Judgment [Doc. No. 23] is DENIED.

The case is again referred to Judge Mitchell under 28 U.S.C. § 636 for further proceedings consistent with the initial case referral

IT IS SO ORDERED this 19<sup>th</sup> day of March, 2014.

Willy W. Rehbein

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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE